

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: R.B. Hutchison et al. Attorney Docket No.: ECHG116755
Application No.: 09/755,657 Art Unit: 3687 / Confirmation No: 6405
Filed: January 5, 2001 Examiner: A.J. Rudy
Title: METHOD AND APPARATUS FOR ORDERING GOODS, SERVICES AND
CONTENT OVER AN INTERNETWORK

RESPONSE

Seattle, Washington 98101

August 1, 2008

TO THE COMMISSIONER FOR PATENTS:

Applicants respectfully request that the above-identified application be re-examined.

The final Office Action mailed May 23, 2008 ("Office Action"), rejected Claims 68 and 70-81, the only claims remaining in this application, based on an article in *Electronic Commerce News*, Vol. 3, No. 42, October 19, 1998, titled "Plastic or Cybergash? Cutting Banks out of the Payment Circuit," in view of Official Notice. Frankly, applicants do not understand this ground of rejection. The above-identified application (U.S. Patent Application Serial No. 09/755,657) is a continuation of prior U.S. Patent Application Serial No. 09/299,156, filed April 22, 1999 (parent application), which in turn is a continuation-in-part of prior U.S. Patent Application Serial No. 09/064,797, filed April 22, 1998 (grandparent application). U.S. Patent Application Serial No. 09/064,797 was filed almost six months prior to the publication date of *Electronic Commerce News*, Vol. 3, No. 42—October 19, 1998. Since the grandparent of the current application was filed almost six months prior to the publication date of *Electronic Commerce News*, Vol. 3, No. 42, and provides support for the subject matter claimed in this application, applicants submit that the *Electronic Commerce News*, Vol. 4, No. 42, is not a valid reference. With regard to the grandparent application proving support for the claims of the

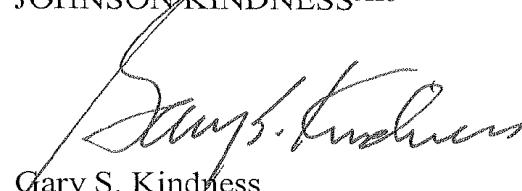
LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

current application, in the event a copy of the grandparent application is not readily available to the Examiner, a copy is enclosed. The enclosed copy, marked Exhibit A, is identified as U.S. Patent Application Serial No. 09/064,797 and Attorney Docket No. ECHG-1-12036.

In view of the foregoing remarks, applicants respectfully request withdrawal of the rejection of Claims 68 and 70-81 based on *Electronic Commerce News*, Vol. 3, No. 42, the allowance of these claims, and the passing of this application to issue. If the Examiner has any questions, the Examiner is invited to contact applicants' attorney at the number set forth below.

Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}



Gary S. Kindness
Registration No. 22,178
Direct Dial No. 206.695.1702

GSK:aew

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100